



WILLIAMSON COUNTY
Department of Sewage Disposal Management
1320 West Main St., Suite 411, Franklin, Tennessee 37064
www.williamsoncounty-tn.gov
615-790-5751

Differentiation of permanent versus non-permanent structures and remodel versus rebuild

Definitions

“Conforming” means that the septic system complies with the current provisions of the Williamson County Regulations Governing On-Site Sewage Disposal Systems. A septic system that complied at the time it was installed that does not meet current regulation standards is a non-conforming system.

“Non-conforming” means that the septic system does not comply with the current provisions of the Williamson County Regulations Governing On-Site Sewage Disposal Systems.

“Documented” means that documentation of the size, location, date of installation and other such data is noted in the Department files.

“Undocumented” means that documentation of the size, location, date of installation and other such data is not noted in the Department files. Undocumented septic systems can be systems which predate Department records or illegally-constructed septic systems and repairs which were done outside the regulatory authority of the Department.

“Functioning” means that the septic system is operating so as to be in conformance with the requirements of Title 68 Chapter 221 of the Tennessee Code Annotated.

“Non-functioning” means that the septic system is operating so as to be in violation of the requirements of Title 68 Chapter 221 of the Tennessee Code Annotated.

Section I

Mobile Homes

Mobile homes cannot be remodeled, however, a replacement of a mobile home with a mobile home is equivalent to the definition of a remodel. Mobile homes are considered “personal” property because they are not attached to the ground and can easily be moved. Modifications to the property on which the mobile

home is located (not to enclosed habitable living space) such as accessory buildings, decks, pools, etc. can be done as long as legal setbacks can be maintained.

1. Replacement of a Mobile Home with a Conforming System: A mobile home with a system conforming to current regulations can be replaced with a new mobile home as long as the number of bedrooms and baths do not change and the hydraulic capacity of the system is not affected. Width of the mobile home (single wide or double wide) does not matter as long as legal setbacks can be met. A mobile home which conforms to the current regulations can add additional bedrooms and oversized bathing fixtures so long as there is soil to support it.
2. Replacement of a Mobile Home with a Non-Conforming Functioning System: A mobile home with a non-conforming system (documented or undocumented) can be replaced with a new mobile home so long as the number of bedrooms and baths does not change (i.e., the hydraulic capacity of the system is not affected) and the system is a functioning system and is not failing. Width of the mobile home (single wide or double wide) does not matter as long as legal setbacks can be met. Any increase in the number of bedrooms or any addition of oversized tubs (i.e., the hydraulic capacity of the system increases) will require the system be brought up to current regulations.
3. Replacement of a Mobile Home on a Temporary Repair: A mobile home with a system deemed a temporary repair may not be replaced with a new mobile home unless the replacement is the result of the structure being involuntarily destroyed by fire, wind or flood. The number of bedrooms and baths (i.e., the hydraulic capacity of the system) must remain the same in that event. The septic system must be functioning, and must not pose a threat to the public health or safety.
4. Replacement of a Mobile Home with a Site-Built or Modular Home: Removal of a mobile home (considered “personal” property) with the intent to replace it with a permanent structure on a permanent foundation, built or modular (considered “real” property), will automatically be considered a tear down, not a remodel, and will require the septic system’s conformance with current regulations.

Section II

Permanent Structures

Permanent structures (site-built or modular) are those which are attached to the land on a permanent foundation.

Remodel: Remodels can be defined in two categories: cosmetic and structural. Cosmetic, non-structural repairs and refinishes to the interior of a structure such as replacing sheetrock, counter-tops, flooring, or moving non-load bearing walls, etc., would be considered a simple cosmetic remodel. However, if a permit is required to perform the proposed remodel, it is likely a structural remodel which cannot be done on a home with a septic system on temporary repair. Cosmetic things like paint, cabinetry, carpet, fixture exchanges and the like are not structural remodeling under Department rules.

Tear Down & Rebuild: Extensive structural renovations to an existing structure are considered a tear down and total rebuild which requires that the septic system complies with current regulations. Extensive renovations differ from a remodel in that they deal primarily with major physical, structural changes, and may include but not be limited to construction such as:

- Gutting the structure to the studs.
- Moving structural load bearing walls.
- Removing and replacing electrical wiring.
- Removing and replacing HVAC.
- Removing and replacing plumbing.
- Expanding enclosed habitable living space affecting hydraulic load of septic system such as adding bedrooms, laundry rooms or oversized tubs.

This set of guidelines is not determinative. Individual factors may make certain elements in this list actually a cosmetic remodel (ex – shower remodel may require removing and replacing plumbing parts, but certainly would not be a rebuild or a structural remodel). Whether a project is a rebuild is to be determined on an individual case by case basis and should rely on the individual facts in question as each house project will vary.

Renovations incurring costs equal to or exceeding 51% of the structure's current value is prima facie evidence that the home is undergoing a rebuild.

1. Permanent Structure with a Conforming System: A permanent structure with a system conforming to current regulations can be remodeled as long as the number of bedrooms and oversized tubs (i.e., the hydraulic capacity of the system) does not change. Extensive renovations may require the septic system to be resized per current regulations to accommodate additional hydraulic loading. Additions to the numbers of bedrooms and oversized tubs (i.e., the hydraulic capacity of the system) can be done so long as there is suitable soil.
2. Permanent Structure with a Non-Conforming Documented Functioning System: A permanent structure with a non-conforming, documented and functioning system can be remodeled as long as the number of bedrooms

and baths does not change and the hydraulic capacity of the system is not affected. Any increase in the number of bedrooms, addition of oversized tubs (i.e., the hydraulic capacity of the system increases), or any other construction meeting the definition of a teardown and rebuild will require the system be brought up to current regulations. A permanent structure in this category that is involuntarily destroyed by fire, wind or flood may be rebuilt utilizing the existing septic system. The number of bedrooms and baths (i.e., the hydraulic capacity of the system) must remain the same in that event. The septic system must be functioning, and must not pose a threat to the public health or safety.

3. Permanent Structure with a Non-Conforming Undocumented Functioning System: A permanent structure with a non-conforming, undocumented and functioning system can be remodeled as long as, based on the professional judgment of Sewage Disposal Management staff, the remodel does not pose a threat to public health and safety. Before remodeling is authorized, the system must be uncovered by the property owner, verified as adequate for the structure, and documented by Sewage Disposal Management staff. Any increase in the number of bedrooms, addition of oversized tubs (i.e., the hydraulic capacity of the system increases), or any other construction meeting the definition of a teardown and rebuild will require the system be brought up to current regulations. A permanent structure in this category that is involuntarily destroyed by fire, wind or flood may be rebuilt utilizing the existing septic system. The number of bedrooms and baths (i.e., the hydraulic capacity of the system) must remain the same in that event. The septic system must be functioning, and must not pose a threat to the public health or safety.
4. Permanent Structure on a Temporary Repair: A permanent structure with a system deemed a temporary repair may not be rebuilt, structurally-remodeled (or replaced with a similarly-sized mobile home) unless the rebuild or replacement is the result of the structure being involuntarily destroyed (i.e. – fire, wind or flood). The number of bedrooms and oversized tubs (i.e., the hydraulic capacity of the system) must remain the same in that event. The septic system must be functioning, and must not pose a threat to the public health or safety. Modifications to the property (not to enclosed habitable living space) such as accessory buildings, decks, pools, etc., can be done as long as legal setbacks can be maintained and the system is functioning.
5. Replacement of a Permanent Structure with a Mobile Home: Tearing down and removal of a permanent structure (“real” property) and replacement with a mobile home (“personal” property), will be allowed as long as the number of bedrooms and oversized tubs (i.e., the hydraulic capacity of the

system) does not increase, and the system is a conforming, documented and functioning system. The same applies to replacement of permanent structures with a mobile home with a non-conforming, documented and functioning system.

A permanent structure with a non-conforming, undocumented and functioning system can be replaced with a mobile home as long as, based on the professional judgment of Sewage Disposal Management staff, the replacement does not pose a threat to public health and safety. Before a replacement is authorized, the system must be uncovered by the property owner, verified as adequate for the mobile home, and documented by Sewage Disposal Management staff.

In the event of a fire, wind or flood event that renders the permanent structure destroyed involuntarily, replacement of the permanent structure with a mobile home is governed by the rules for mobile homes set forth in Section I, Mobile Homes.